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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/795,993

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Wesley M. Mays

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07/25/2006

BLANK ROME LLP

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EXAMINER

POPE, DARYL C

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/795,993

Applicant(s)

MAYS, WESLEY M.

Examiner

DARYL C. POPE

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

ART REJECTION:

Claim Rejections - 35 USC § 103

2. Claims 1-14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al(6,335,693).

-- In considering claim 1, the claimed subject matter that is met by Takahashi et al(Takahashi) includes:

- 1) the sub processor module is met by the information processing unit(0203);
- 2) the user interface is met by the information input device(0208) and voice input device(0205);

- Takahashi does not show:

- 1) the antenna, and the communication medium comprising a vehicle data bus.

Although not specifically disclosed by Takahashi, it would have been obvious that some form of antenna would have been included in the road vehicle communication unit(0202), since this would have been necessary in order for the onboard unit(0201) to intercommunicate with the road side units. Furthermore, it would have also been necessary for a data bus to be included in the system of Takahashi, since this would have been necessary in order for signals to be transmitted throughout the various devices in the vehicle.

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-- With regards to claim 2, the examiner takes Official Notice that in the vehicle communication art, use of an antenna located in a vehicle windshield is well known, and therefore, it would have been obvious to one of ordinary skill in the art at the time the invention as made to incorporate an antenna into the vehicle windshield of Takahashi, since this would have reduced environmental damage the commonly occurs to vehicle antennae.

-- With regards to claim 3, it would have been obvious that the information processing unit(0203) would have included a processor for processing the data from the antenna since this would have been necessary in order for information received from the roadside unit to be disseminated throughout the vehicle system.

-- With regards to claim 4, the external source including an external communications module is met by the road side unit(0103) which communicates information to the vehicle unit.

-- With regards to claim 5, the user interface system including a speech recognition system module is met by the voice input device(0205).

-- Claim 6 recite subject matter that is met as discussed in claim 6 above(see: column 11, lines 1-14).

-- Claim 7 recites subject matter that is met as discussed in claim 1 above(see: abstract).

-- With regards to claim 8, although use of radio frequency technology is taught by Takahashi, it would have been obvious to one of ordinary skill in the art to substitute Bluetooth Technology into the system of Takahashi, since this would have provided an

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equivalent communications means in the system that would have been less susceptible to interference.

-- With regards to claim 9, the communications medium being hardwired is met by the hard-wired communications medium of the vehicle on board unit(0201) as seen in figure 2.

-- Claims 10-14, and 16 recite subject matter that is met as discussed in claims 1-9 above.

3. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al(Takahashi) in view of Akiyama(6,694,235).

-- With regards to claim 15, although not specifically taught by Takahashi, use of vehicle communication systems in which received data is conveyed to a vehicle engine control processor is well known. In related art, Akiyama discloses a vehicle communication system wherein information received from an external source is processed and utilized to control a vehicle engine control unit(11, column 6, lines 1-25). Since use of processed signals to control a vehicle engine is well known, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the vehicle ECU(11) of Akiyama into the system of Takahashi, since this would have provided a means for allowing an external source to govern the operation of a vehicle in the event safety purposes(such as vehicle braking) are necessary outside of driver control.

REMARKS:

Response to Arguments

4. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARYL C. POPE whose telephone number is 571-272-2959. The examiner can normally be reached on M-TH 9:00-7:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MIKE HORABIK can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

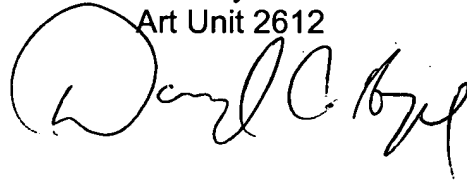
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daryl C. Pope

July 23, 2006

DARYL C POPE
Primary Examiner
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A handwritten signature in black ink, appearing to read "Daryl C. Pope", is written over the printed name and title.